

Amendment No. 2 to SB3719

**Johnson
Signature of Sponsor**

AMEND Senate Bill No. 3719*

House Bill No. 3748

by deleting all language after the enacting clause and by substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 39-17-1605(a), is amended by deleting the subsection in its entirety and by substituting instead the following:

(a)

(1) "No Smoking" signs, or the international "No Smoking" symbol, which consists of a pictorial representation of a burning cigarette enclosed in a circle with a bar across it, shall be prominently posted and properly maintained on each main building entrance where smoking is regulated by this part.

(2) The "No Smoking" signs or "No Smoking" symbols shall be prominently displayed throughout the building to ensure that the public is aware of the restriction.

SECTION 2. Tennessee Code Annotated, Title 39, Chapter 17, Part 6, is amended by adding the following new section thereto:

§ 39-17-1607.

(a) Notwithstanding § 39-17-1551, the legislative body of any county or municipality that has established a free public library or entered into contractual agreements with one (1) or more counties or cities for joint operation of a free public library may prohibit smoking within fifty feet (50') of any entrance to such library upon adoption of a resolution by a majority vote of the legislative body; provided, however, if the library is jointly operated by municipalities or counties, then a resolution adopted by a majority vote of all affected legislative bodies,

voting individually, is necessary for the municipalities or counties to prohibit smoking within fifty feet (50') of any entrance to a library.

(b) Following the adoption of a resolution prohibiting smoking within fifty feet (50') of any entrance to a library, the library shall post notice of such prohibition on the exterior of the building in accordance with § 39-17-1605(a)(1).

(c) A violation of any resolution prohibiting smoking within fifty feet (50') of any entrance to a library pursuant to subsection (b) shall be punishable by a civil penalty not to exceed fifty dollars (\$50.00) to be assessed against a person violating such prohibition. The penalty set out in § 39-17-1606 shall not apply. No court costs or litigation taxes may be collected or assessed on such violations.

SECTION 3. This act shall take effect July 1, 2010, the public welfare requiring it.